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7 Attorneys for Plaintiff
Goose Pond Ag, Inc.

8 UNITED STATES DISTRICT COURT

9 EASTERN DISTRICT OF CALIFORNIA, SACRAMENTO DIVISION

10
11 Goose Pond Ag, Inc.,

12 Plaintiff,

13 v.

14 Duarte Nursery, Inc., a California corporation;
15 James Duarte, an individual; John Duarte, an
individual; and DOES 1 through 25, inclusive,

16 Defendants.
17

No. 2:19-cv-02631 KJM DB

**AMENDMENT TO STIPULATION
REGARDING CONFIDENTIAL
DOCUMENTS; AND ORDER**

18 **RECITALS**

19 WHEREAS, the Parties to this action – Plaintiff Goose Pond Ag, Inc., and Defendants
20 Duarte Nursery, Inc., James Duarte and John Duarte – entered into a Stipulation Regarding
21 Confidential Documents (ECF No. 28), which was approved by the Court and entered as a
22 Protective Order on or about May 14, 2020 (ECF No. 29).

23 WHEREAS, Defendants served a FRCP Rule 45 subpoena for production of documents on
24 third-party Farmland Management Services (“Farmland”).

25 WHEREAS, Farmland has documents in its possession which are responsive to
26 Defendants’ subpoena and which constitute Confidential documents, as that term is defined in the
27 Protective Order, including documents which contain confidential, private financial information of
28 Farmland’s client Goose Pond Ag, Inc.

1 WHEREAS, Farmland is not a signatory to the Parties' stipulation and therefore not
2 covered by the Court's Protective Order.

3 WHEREAS, the Parties agree that the terms and benefits of the Protective Order should
4 also be available to Farmland.

5 WHEREAS, the Protective Order provides that the Parties may not modify its terms
6 without the Court's approval (ECF No. 29, ¶ 6).

7 **STIPULATION**

8 NOW THEREFORE, the Parties hereby STIPULATE as follows:

9 A. The Parties propose that the Court issue an amendment to its Protective Order to allow
10 third-party Farmland Management Services to produce confidential documents in the case
11 pursuant to the terms of the Protective Order.

12 B. The Parties agree to treat the foregoing stipulation as controlling pending the
13 Court's consideration of it.

14 IT IS SO STIPULATED,

15 DATED: July 15, 2020

DOWNEY BRAND LLP

17 By: /s/ Janlynn R. Fleener

18 ROBERT P. SORAN
19 JANLYNN R. FLEENER
20 Attorneys for Plaintiff
Goose Pond Ag, Inc.

21 DATED: June 30, 2020

LAW OFFICES OF BRUNN & FLYNN

23 /s/ Gerald E. Brunn
24 (as authorized 6/30/20)

25 GERALD E. BRUNN
26 Attorneys for Duarte Nursery, Inc., James Duarte,
27 and John Duarte
28

1 DATED: June 30, 2020

BRISCOE IVESTER & BAZEL LLP

2
3 /s/ Peter Prows
By: (as authorized 6/30/20)
4 DAVID M. IVESTER
5 PETER PROWS
6 Attorneys for Duarte Nursery, Inc., James Duarte,
7 and John Duarte
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DOWNEY BRAND LLP

ORDER

Pursuant to the parties' stipulation, IT IS SO ORDERED.

DATED: July 17, 2020

/s/ DEBORAH BARNES
UNITED STATES MAGISTRATE JUDGE

DOWNEY BRAND LLP

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